

# State of South Dakota

SEVENTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 1998

446B0461

## HOUSE STATE AFFAIRS COMMITTEE

### ENGROSSED NO. **HCR1005** - 2/9/98

**This resolution has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.**

Introduced by: Representatives Lucas, Apa, Davis, Fischer-Clemens, Gleason, Haley, Kazmerzak, Lee, Lockner, Napoli, Sokolow, Sperry, Volesky, and Waltman and Senators Hunhoff, Hutmacher, Kloucek, Lawler, Olson, and Reedy

1 A CONCURRENT RESOLUTION, Requesting the Congress of the United States to pass  
2 legislation providing election campaign finance reform.

3 WHEREAS, expenditures for campaigns for federal candidates have been rising each election  
4 year; and

5 WHEREAS, in the 1996 elections, federal candidates accepted and solicited campaign  
6 donations from foreign nationals and foreign governments, which is in clear violation of current  
7 federal election law; and

8 WHEREAS, the continued abuse of federal campaign election laws tarnishes the idea of  
9 ethical fair government and helps fuel voter apathy; and

10 WHEREAS, the United States Supreme Court has ruled that political contributions represent  
11 a form of free speech and as such are guaranteed by the First Amendment of the United States  
12 Constitution; and

13 WHEREAS, the preservation of a United States citizen's right to criticize those who govern  
14 us and our governing institutions through political donations should not be infringed upon by any

1 level of government; and

2 WHEREAS, the Congress should pass meaningful campaign finance reform to help restore  
3 voter confidence in our federal process:

4 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-  
5 third Legislature of the State of South Dakota, the Senate concurring therein, that the Congress  
6 of the United States is urged to pass campaign election finance reform which should encompass  
7 the following principles:

8 (1) There should be full and prompt disclosure of any type of political donations made to  
9 an individual candidate, an individual's election committee, or the candidate's political  
10 action committee in such a time prior to the general election so that a voter will know  
11 who is supporting a particular candidate;

12 (2) Political contributions are and should remain constitutionally protected forms of free  
13 speech;

14 (3) No member of a union or stockholder or employee of a business should be forced to  
15 give compulsory contributions as part of their dues or paychecks without first  
16 providing annual detailed written permission; and

17 (4) Contributions from foreign governments and foreign nationals must be guarded  
18 against to ensure that current federal election laws are not violated; and

19 BE IT FURTHER RESOLVED, that the Attorney General and the Department of Justice  
20 and its investigatory organs aggressively and impartially investigate allegations that federal  
21 candidates violated election laws during the 1996 elections, such as receiving money from  
22 foreign governments or foreign nationals, and soliciting campaign contributions while on federal  
23 property; and

24 BE IT FURTHER RESOLVED, that the Federal Elections Commission should increase its  
25 efforts to ensure that all candidates comply with existing federal campaign election laws and

- 1 aggressively prosecute any candidate who violates these laws.

1    **BILL HISTORY**

2    1/22/98 Referred to State Affairs. H.J. 179

3    2/6/98 Scheduled for Committee hearing on this date.

4    2/6/98 State Affairs Adopt Resolution as Amended, AYES 8, NAYS 2.